

REMARKS

The Office Action has indicated that claim 11 is objected to, but would be allowable if rewritten in independent form and to overcome a rejection under 35 U.S.C. §112, paragraph 2, which appears not to have been made. The Office Action has rejected claims 1-5, 7-10, 12-13, and 15-19 for the reasons stated in the Office Action. While Applicants do not concede the merits of any of the rejections as set forth in the Office Action, Applicants have elected to cancel or amend the rejected claims to depend from allowable claim 11, solely for the purpose of expediting the patent application process. Applicants reserve the right to pursue claims similar or identical to the rejected claims as pending prior to cancellation or amendment herein in one or more continuation applications claiming priority to the instant application.

Claim 14, which was withdrawn from consideration, has been re-presented as new claim 72. Claim 72 depends from allowable claim 11, and is therefore also believed to be allowable. No new matter has been added.

Rejection of Claims 1-5, 7, and 15-19 Under 35 U.S.C. §102(b)

Claims 1-5, 7, and 15-19 were rejected under 35 U.S.C. §102(b) as being anticipated by El-Shall, et al., U.S. Patent No. 5,580,655 ("El-Shall") as evidenced by Hawley's Condensed Chemical Dictionary. The Office Action asserts that El-Shall discloses silica nanoparticles able to retain a high surface area as the temperature of the nanoparticles is raised to the melting point of silica, about 1700°C, as evidenced by Hawley's Condensed Chemical Dictionary.

Without acceding to the correctness of this rejection, Applicants have elected to amend the rejected claims to depend from allowable claims, solely for the purpose of expediting the patent application process. Withdraw of the rejection of these claims is thus respectfully requested.

Rejection of Claims 1-5, 7-10, 12-13, and 15-19 Under 35 U.S.C. §102(b) or §103(a)

Claims 1-5, 7-10, 12-13, and 15-19 were rejected under 35 U.S.C. §102(b) as being anticipated by, or under 35 U.S.C. §103(a) as being obvious over, JP 03-069506 as evidenced by AN-1991-129609 and JPO Abstract JP403069506 (collectively, "the Ricoh abstracts").

Serial No.: 09/993,355
Conf. No.: 5789

- 5 -

Art Unit: 1712

Applicants do not concede to the accuracy of the translation of the Japanese-language references. Further, without acceding to the correctness of this rejection, Applicants have elected to amend the rejected claims to depend from allowable claims, solely for the purpose of expediting the patent application process. Withdraw of the rejection of these claims is thus respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' representatives at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,

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